

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3757 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

WAGHRI SAVSI SUKHA

Versus

STATE OF GUJARAT

Appearance:

MR MD RANA for Petitioners

Mr. D.P. Joshi for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 23/10/97

ORAL JUDGEMENT

Heard learned counsel for the parties.

The petitioners, daily wagers working in the office of the respondent No.2, have filed this Special Civil Application before this Court and prayers have been made for direction to the respondents to put them in the proper pay scale with effect from the date of their appointment and further to direct the respondents to give

them benefits of equal pay for equal work similarly on the line of Class IV employees who are drawing the pay scale of Rs.196-232 and consequent revision of pay with increments.

In view of the resolution dated 17.10.1988 issued by the Government and subsequent resolutions pursuant thereto, it is not necessary for this Court to advert to all the facts and contentions raised by the petitioners in this Special Civil Application. The resolution of 17.10.1988 is applicable to the daily wagers also who have been appointed on or before 1.10.1988 in the Irrigation Department. The interest of justice will be met in case this Special Civil Application is disposed of in the terms that in respect of the grievances which have been made by the petitioners in this Special Civil Application, they may file representation to the respondent No.2 and he shall consider their case for giving them the benefit under the resolution of the Government dated 17.10.1988 and resolutions issued pursuant thereto. This exercise is to be undertaken and completed within a period of three months from the date of receipt of the representation of the petitioners. In case the claim made by the petitioners is not acceptable then a reasoned order be passed and a copy of the same shall be sent to each of the petitioners by Registered Post Acknowledgment Due. In case of difficulty, liberty is granted to the petitioners for revival of this Special Civil Application. If the respondent No.2 proposes to pass any order adverse to the petitioners, then they may be given an opportunity of hearing also.

Rule issued in this Special Civil Application is discharged subject to the aforesaid directions with no order as to costs.